The North Carolina State Bar

AUTHORIZED PRACTICE COMMITTEE

C. Colon Willoughby, Jr.
Chair

JAN 26 2005

LETTER OF CAUTION

Teresa Bonnstetter
Priority Abstractors and Title Services, LLC
2105 Needleleaf Lane
Greensboro, NC 27410

Re: Alleged Unauthorized Practice of Law
Our File Number: 04AP0036

Dear Ms. Bonnstetter:

On January 19, 2005 the Authorized Practice Committee met and considered the results of its investigation made into your activities in the above referenced matter. As you will recall, you were informed of the allegations before the Committee and given an opportunity to respond. You responded to the Committee's initial letter and letter requesting additional information, and the Committee carefully considered both the information received by it and your responses.

Based upon all of the evidence available, the Committee made the following findings and conclusions. You left a two-page advertisement document at the law offices of Gabriel, Berry & Weston, L.L.P. In this document, you offered to provide full title searches, partial title searches, document recording, foreclosure hearings, foreclosure sales, and miscellaneous document retrieval. You signed this document as the owner of Priority Abstractors and Title Services LLC. You are not an attorney licensed in North Carolina and Priority Abstractors and Title Services LLC is a business corporation and not a law firm. It appears you only offer and provide your title search services to attorneys. This is not clear, however, from the two-page document you left with Gabriel, Berry & Weston, L.L.P. Additionally, your advertisement document offered services for foreclosure proceedings. You state that you go to foreclosure hearings and provide the clerk with a foreclosure package on behalf of the substitute trustee.

It is the unauthorized practice of law for anyone other than an active member of the North Carolina State Bar to hold him or herself out as able to provide legal services to another, or for any corporation other than a law firm to hold itself out as able to provide legal services to another. N.C. Gen. Stat. §§ 84-2.1, 4, and 5. Since title abstracting in North Carolina can only be performed by a licensed North Carolina attorney, the use of the word "Abstractors" in your company's name suggests that your company can provide legal services to others. Furthermore, your two-page advertisement letter does not state that you only provide your title search services

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to licensed North Carolina attorneys and, consequently, could be construed as you holding out your company as able to provide legal services to others.

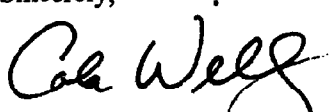
Additionally, your participation in foreclosure hearings on behalf of substitute trustees is the unauthorized practice of law in North Carolina. Only an attorney can represent another in litigation, such as a foreclosure hearing. Even if you are hired by an attorney for the substitute trustee to go to the hearing with the documents, a non-attorney cannot be sent in lieu of an attorney to represent another in litigation. The limitations you impose on your activities at the hearings do not cure the violation.

The Committee concluded that your conduct constitutes the unauthorized practice of law in violation of these statutes. Accordingly, it voted to issue this Letter of Caution.

The Committee expects that you will modify your company's presentation to the public, both by name and advertisement, to avoid any appearance that your company can provide legal services on behalf of others as a result of this Letter of Caution. The Committee also expects that you will cease appearing at foreclosure hearings on behalf of substitute trustees or attorneys for substitute trustees. The Committee is using its discretion to not take any further action at this time but reserves the right to do so if it receives future complaints of violations. The Committee reminds you that, under North Carolina law, not only does the Committee have the option to seek a court order restraining the unauthorized practice of law, but the unauthorized practice of law can also be prosecuted as a criminal misdemeanor offense.

Thank you for your cooperation in this matter. Please feel free to contact the Committee's counsel, Jennifer A. Porter, if you have any questions.

Sincerely,



C. Colon Willoughby, Jr., Chair
Authorized Practice Committee

CCW/paa

cc: Complainant